

**REMARKS**

The Examiner is thanked for the courtesy of providing a telephonic interview to applicant's attorney on July 15, 2004. During the interview, a number of prior art references were discussed. These include U.S. Patent Nos. 1,346,457 to Leja; 6,165,064 to Aurelius et al. (Aurelius); 4,606,361 to Nottingham et al. (Nottingham); 4,593,709 to Duplessy; 326,866 to Harcourt; 2,646,055 to Neilson; 5,947,257 to Schwartz; 3,265,077 to Kirkpatrick; 5,722,882 to Kashiwagi et al. (Kashiwagi); 5,397,264 to Gross and 6,003,652 to Murata et al. (Murata).

During the telephonic interview, the Examiner rejected the claims filed with the Fourth Preliminary Amendment dated June 3, 2004 based on Leja in view of Aurelius. It was the Examiner's opinion that independent claims 27, 32, 39 and 47 were unpatentable under 35 U.S.C. § 103, based on Leja in view of Aurelius.

In response, applicant has amended the above-mentioned independent claims. More particularly, independent claim 27 was amended to recite that the coin sorting assembly comprises a rotating coin separating member, including at least one coin receiving aperture, supported on a housing, including at least one coin sorting aperture, wherein the at least one coin receiving aperture periodically overlies the at least one coin sorting aperture as the separating member rotates on the housing. There is no teaching or disclosure of such a coin sorting assembly in either Leja or Aurelius, or their combination. Moreover, there is no teaching or disclosure of claim 27 as amended in any of the remaining cited art. Therefore, this claim should be in condition for allowance over the art of record.

Dependent claims 28-31 merely further patentably define the detailed subject matter of their parent claim, or each other. As such, these claims are also believed to be in condition for allowance over the art of record.

Independent claim 32 has been amended to recite a coin bank including at least two coin slides supported within the housing between the coin sorting assembly and the drawer, wherein the at least two coin slides are oriented parallel to each other and lie in a common plane. This is in contrast to the structure which is disclosed in Leja, wherein coins slide on surfaces 23 and 26 that are located beneath each other. No slides of any sort are disclosed in Aurelius. Therefore, it is respectfully submitted that claim 32 patentably defines over the combination of Leja and Aurelius, as well as the remainder of the cited art. Therefore, claim 32 is believed to be in condition for allowance.

Dependent claims 34-38, which merely further patentably define the detailed subject matter of their parent claim or each other are also believed to be in condition for allowance over the art of record.

Independent claim 39 was amended to recite a coin tube supported in a drawer at an angle in relation to a horizontal plane wherein a movement of the drawer between the extended and retracted positions changes the angle of the coin tube in relation to the horizontal plane. No coin tubes are shown in Leja. While coin tubes are shown in Aurelius, these coin tubes do not change their angle of orientation. Thus, if the coin tubes of Aurelius were placed in the drawer of Leja, they would not change orientation when the Leja drawer was moved. There is no teaching or disclosure of such a construction in any of the remaining cited art either. Therefore, it is respectfully submitted that claim 39 patentably defines over the applied art, as well as the remainder of the cited art.

Dependent claims 40 - 46 merely further patentably define the detailed subject matter of their parent claim or each other. As such, these claims are also believed to be in condition for allowance over the art of record.

Independent claim 47 now recites a coin bank including a plurality of sorted coin holders selectively held by a drawer for holding sorted coins, wherein the plurality of sorted coin holders comprises a row of sorted coin holders which are oriented at a common acute angle in relation to a horizontal plane. There is no teaching or disclosure of such a construction in either Leja or Aurelius or their combination. Therefore, it is respectfully submitted that claim 47 patentably defines over the applied combination of references, as well as the remainder of the cited art.

Dependent claim 48-55 merely further patentably define the detailed subject matter of their parent claim or each other. As such, these claims are also believed to be in condition for allowance.

Applicant takes this opportunity to submit new dependent claim 56. This claim recites that the coin bank of claim 47 further comprises a coin overflow area for coins which are not accommodated by the plurality of sorted coin holders. It is respectfully submitted that claim 56 is also patentable over the applied combination of references and the remainder of the cited art, for the same reason as claim 47.

Finally, applicant submits herewith a new independent claim 57. This claim recites a coin sorter apparatus comprising a housing and a coin sorter assembly mounted in the housing. The coin sorter assembly comprises a coin sorting plate including at least one coin sorting aperture and a coin carrying member including at least one coin receiving aperture. The coin carrying member includes a circular portion which is rotatably mounted on the coin sorting plate. A drawer is slidably mounted in the housing adjacent the coin sorting assembly. The drawer is slidable from a retracted position to an extended position in relation to the housing. A

set of sorted coin holders is held by the drawer for accommodating associated sorted coins, when the drawer is in the retracted position. The sorted coin holders are selectively removable from the drawer when the drawer is in the extended position. Each coin holder includes a side wall and a base to define a hollow interior. A post extends from the base into the hollow interior to regulate the number of associated sorted coins held in the coin holder.

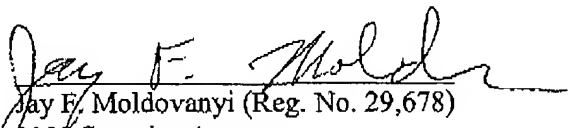
Applicant notes that the second to the last line in claim 57 forwarded to the Examiner stated "from said base into said hollow exterior". The term "exterior" was an error and applicant has corrected that term to --interior-- in the claim 57 submitted herewith.

It is respectfully submitted that there is no teaching or disclosure of such a construction in the applied two references. More particularly, Leja does not teach a sorted coin holder having a post extending from the base. Three sorted coin holders 8, 9 and 10 are shown in Figure 3 of Leja. However, no posts are disclosed as extending from the respective bases thereof. Similarly, in Aurelius, Figure 7 discloses what appears to be a bottom view of the coin tube 56. Figure 9 shows a cross-sectional view along line I - I of Figure 6, pointing down. It is apparent that no posts are disclosed as extending up into the hollow interior of the tubes in either Figure. For that matter, it does not appear that the coin holders have a base. In view of the foregoing, it is respectfully submitted that claim 57 patentably defines over Leja in view of Aurelius, as well as the remainder of the cited art.

In view of the foregoing, it is respectfully submitted that pending claims 27-32 and 34-57 are in patentable condition. Therefore, allowance of these claims is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

  
Jay F. Moldovanyi (Reg. No. 29,678)  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

N:\MAFZ\200062\1\AKAN0001934V001.doc